



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, WA 98115

January 24, 2002

Jerrold D. Gregg
US Bureau of Reclamation
Snake River Area Office
214 Broadway Avenue
Boise, ID 83702-7298

RE: Supplemental Biological Opinion on the operation and maintenance of the U.S. Bureau of Reclamation's (USBR) upper Snake River basin projects beyond March 31, 2002.
Consultation No. F/NWR/2001/01145.

Dear Mr. Gregg:

This letter acknowledges your November 7, 2001, letter to National Marine Fisheries Service (NMFS) requesting initiation of formal consultation under Section 7(a)(2) of the Endangered Species Act (ESA). The request for consultation was accompanied by an amended biological assessment that analyzed the effects that operating and maintaining the USBR's 10 water storage projects upstream from Brownlee Reservoir may have on ESA-listed anadromous salmonids. Because your proposed action is virtually identical to the proposed action considered in our May 2, 2001 biological opinion (NMFS 2001), we have determined that detailed reconsideration of the effects is unwarranted. We are therefore issuing, by this letter, a supplemental biological opinion extending the termination date of the 2001 biological opinion.

You have requested formal consultation under ESA § 7(a)(2). All the information we require to analyze the effects of the proposed action can be found in either the amended BA, your 1998 BA for the same projects, or other sources readily available to us. We have assigned log number F/NWR/2001/01145 to this consultation. Please refer to this number in all relevant future correspondence.

After considering the available information, NMFS hereby affirms the conclusion drawn in the May 2, 2001 biological opinion (NMFS 2001) and wholly incorporates that document into this supplemental opinion, with two modifications: First, in this supplement, we are extending the period covered by the 2001 opinion to March 31, 2005 (replacing the March 31, 2002, date specified on page 11-1 of the 2001 opinion). This additional 36 months of coverage is intended to help the USBR continue to examine specific long-term flow augmentation mechanisms currently being addressed under the Snake River Basin Adjudication—a process in which both NMFS and the USBR are fully engaged, as noted in the USBR's November 7, 2001, BA.



Second, the 2001 opinion's Incidental Take Statement section 9.2.3 (NMFS 2001) directs the USBR to provide documentation of the outcome of its flow augmentation program "at least 135 days prior to the termination date of this biological opinion." For the period covered by this supplemental biological opinion, the USBR shall provide such documentation by December 31 each year. All other aspects of the 2001 consultation remain in effect.

This concludes consultation on your proposed action. If you have any questions or concerns about this consultation or the consultation process in general, please feel free to contact Richard Domingue of my staff at 503-231-6858.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Robert Lohn", written in a cursive style.

D. Robert Lohn
Regional Administrator

cc: Witt Anderson, COE
Lorri Bodi, BPA

References

- National Marine Fisheries Service (NMFS). 2001. Biological opinion: U. S. Bureau of Reclamation operations and maintenance of its projects in the Snake River basin above Brownlee Dam from Date Issued through March 2002. May 2, 2001. National Marine Fisheries Service, Northwest Region, Portland, Oregon.
<http://www.nwr.noaa.gov/1hydro/hydroweb/docs/BRBiop501.PDF>
- U.S. Bureau of Reclamation (USBR). 2001. Findings and commitments implementing the NMFS May 2001 biological opinion for operation and maintenance of U.S. Bureau of Reclamation projects in the Snake River basin above Brownlee Reservoir from date issued through March 2002 and Magnuson-Stevens Fishery Conservation and Management Act recommendations. June 1, 2001. U.S. Bureau of Reclamation, Pacific Northwest Region, Boise, Idaho.
- USBR. 2001. Amended biological assessment for Bureau of Reclamation operations and maintenance in the Snake River basin above Brownlee Reservoir. November 7, 2001. U.S. Bureau of Reclamation, Pacific Northwest Region, Boise, Idaho.